

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

JUANA MONTANO-PEREZ; MARIA)
REMEDIOS CERVANTES-CANO;)
DALILA CONTRERAS-MARTINEZ;)
MERCEDES GOMEZ-EUGENIO;)
MARIA RAMIREZ-MENDOZA;)
FLORA RIVERA-PABLO; SARAI)
CONTRERAS-MARTINEZ; LUCIANA)
MORENO-LOPEZ; TERESA AYALA-)
ROSALES; CIRILO CASTILLO-)
ARMARO; CARLOS RIVERA PABLO;)
and ALVARO SALAZAR RAMIREZ¹)
v.)
DURRETT CHEESE SALES, INC.;²)
GREG DURRETT; CHARLES JONES,)
in his individual and official capacity)
as officer of the Coffee County Sheriff's)
Department; RYAN BARKER, in his)
individual and official capacity as officer)
of the Coffee County Sheriff's)
Department; CHAD PARTIN, in his)
individual and official capacity as officer)
of the Coffee County Sheriff's)
Department; PAM FREEMAN, in her)
individual and official capacity as Captain)
of the Coffee County Sheriff's)
Department; STEVE GRAVES, in his)
individual and official capacity as Sheriff)
of Coffee County Sheriff's Department;)
and COFFEE COUNTY, TENNESSEE)

No. 3-08-1015

O R D E R

By order entered May 19, 2010 (Docket Entry No. 104), the plaintiff's motion to withdraw as counsel for plaintiff Carlos Rivera Pablo (Docket Entry No. 102) was granted.

¹ On May 10, 2010, the plaintiffs and all defendants except defendant Durrett Cheese Sales, Inc., filed a joint stipulation for voluntary dismissal of all claims of plaintiff Alvaro Salazar Ramirez (Docket Entry No. 86).

² On June 21, 2010, the Clerk entered default against defendant Durrett Cheese Sales, Inc. for its failure to file a response to the complaint (Docket Entry No. 115).

Since that time, plaintiff Carlos Rivera Pablo has proceeded pro se (without a lawyer), but he has not taken any action in this case, and did not attend the settlement conference, scheduled by orders entered July 1, 2010, and August 5, 2010 (Docket Entry Nos. 130 and 135), on August 27, 2010.

In consultation with the Honorable Aleta A. Trauger, a hearing is scheduled before Judge Trauger on **Friday, September 30, 2010, at 1:00 p.m.**, in Courtroom 873, U.S. Courthouse, 801 Broadway, Nashville, TN 37203. If plaintiff Carlos Rivera Pablo intends to continue to pursue his claims in this case, he shall appear at that time. If plaintiff Carlos Rivera Pablo does not appear on September 30, 2010, the Court will assume that he does not want to prosecute his claims. Plaintiff Carlos Rivera Pablo is specifically warned that his failure to appear on September 30, 2010, or otherwise communicate with the Court will result in the dismissal of his claims in this case.

The Clerk is directed to mail a copy of this order to Carlos Rivera Pablo, Domicilio Conocido, Cochoapa el Grande, Mcpo. Metlatonoc, Guerrero 41640, Mexico by regular, first class mail AND by certified/registered mail.³

As a housekeeping matter, the Clerk is directed to change the address on the docket for Carlos Rivera Pablo to Domicilio⁴ Conocido, Cochoapa el Grande, Mcpo. Metlatonoc, Guerrero 41640, Mexico.

It is so ORDERED.



JULIET GRIFFIN
United States Magistrate Judge

³ Mailings sent registered mail to Carlos Rivera Pablo have been returned with a notation in Spanish. See Docket Entry Nos. 143-146. The Court conferred with plaintiffs' counsel to address the correct interpretation of the notation, which appears to say that there is "no mail coverage." Because the address is a general delivery address, the postal service apparently will not deliver certified or registered mail for the recipient's signature. However, plaintiffs' counsel have advised that the address listed on the docket, with the spelling correction, is the address to which they have sent mail to Carlos Rivera Pablo by regular, first class mail (not registered or certified mail) and such mail has not been returned to plaintiffs' counsel. Therefore, the Court has directed that this order be sent by both certified/registered mail (on the off chance the plaintiff might actually pick up and sign for the mail) and regular, first class mail.

⁴ Domicilio is listed incorrectly as "Comicilio."